

HOUSE BILL NO. 522

INTRODUCED BY G. GUTSCHE

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A SAFE ROUTES TO SCHOOL PROGRAM;
REQUIRING THE DEPARTMENT OF TRANSPORTATION TO FUND PROJECTS NEAR SCHOOLS TO
ENHANCE THE SAFETY OF CHILDREN GOING TO SCHOOL; AND PROVIDING AN EFFECTIVE DATE AND
A TERMINATION DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Purpose. [Section 2] and this section establish a safe routes to school program to provide funding for projects that increase the safety of children walking and bicycling to school, as well as benefit other pedestrians, bicyclists, and drivers. Projects funded through this program must target existing neighborhoods and areas around schools because major new highway construction or reconstruction projects and new housing developments should incorporate these good design features. The program must cover needs beyond those addressed by the existing community transportation enhancement program, but must be coordinated with that program.

NEW SECTION. Section 2. Funding safe school routes -- application process -- criteria -- report to legislature -- rulemaking. (1) As used in this section, "transportation district" means the transportation commission districts identified in 2-15-2502.

(2) The department shall establish a 4-year pilot program pursuant to the authority granted under 23 U.S.C. 152 and shall use a minimum of \$1 million annually of federal transportation funds, and other state or federal funds available for this purpose, for the implementation of pedestrian and bicycle safety projects, school route planning projects, and traffic-calming projects in the vicinity of schools.

(3) Each year, a local government or a school district may submit a proposal for a project to the administrator of the transportation district in which the local government or school district is located. The transportation district administrator, in collaboration with local government and school district officials and local government public works departments, shall rank the proposals on each of the following factors:

(a) need for the project as demonstrated by:

(i) a school route plan, as recommended in the manual of uniform traffic control devices, developed by the school district and approved by the school district trustees;

(ii) the listing of the project in a transportation or capital improvements plan; or

(iii) any other appropriate plan or report developed by the school district and approved by the school district trustees;

(b) potential of the project for reducing the risk of injuries and fatalities among students;

(c) potential of the project for encouraging increased walking and bicycling among students;

(d) identification of safety hazards, especially pedestrian-vehicle conflict locations;

(e) identification of current and potential safe routes to school for walking and bicycling and deterrents to pedestrian or bicycle access to school;

(f) potential of the project for providing opportunities for walking or bicycling to school on routes not previously available; and

(g) consultation and support for projects by school-based associations, local traffic engineers, local elected officials, law enforcement agencies, and school officials.

(4) The transportation district administrator shall submit to the department the district's list of projects with a ranking and a cost analysis for each project. The department shall allocate funds proportionally to each transportation district based on each district's needs.

(5) The department shall expend additional funds to develop pedestrian, bicycling, and driver safety education and enforcement programs related to the funded projects. The traffic safety education and enforcement programs must be implemented by each transportation district administrator.

(6) The department shall evaluate the effectiveness of the program established under [section 1] and this section, using the criteria in subsections (3)(a) through (3)(g) of this section. The department shall submit a report to the 58th and to the 59th legislatures, in accordance with the provisions of 5-11-210, regarding the results of the study.

(7) The department shall adopt rules for the administration of the program. It is in the public interest for the department to use force account construction processes in evaluating projects for minor improvements.

NEW SECTION. Section 3. Codification instruction. [Sections 1 and 2] are intended to be codified as an integral part of Title 60, chapter 2, part 2, and the provisions of Title 60, chapter 2, part 2, apply

1 to [sections 1 and 2].

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3 NEW SECTION. **Section 4. Effective date.** [This act] is effective July 1, 2001.

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5 NEW SECTION. **Section 5. Termination.** [This act] terminates June 30, 2005.

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